

**IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT
OF ALABAMA, EASTERN DIVISION**

WENDELL DEAN VAN METER,)

NEVA JANE VAN METER,)

Plaintiffs,)

v.)

THE CITY OF LANETT,)

ALABAMA; OSCAR CRAWLEY,)

individually and as Mayor of the City)

of Lanett; KYLE MCCOY,)

individually and as Lanett City)

Councilman; JOHN DUSKIN,)

individually and as Lanett City)

Councilman; MIKE YARBROUGH,)

individually and as Lanett City)

Councilman; JOEL G. HOLLEY,)

individually and as Lanett City)

Manager)

Defendants.)

Case No.: 3:06-CV-583-DRB

DEFENDANT'S TRIAL BRIEF

COME NOW the Defendants, the City of Lanett, Mayor Oscar Crawley, City Manager Joel Holley, Councilman Kyle McCoy, Councilman John Duskin, and Councilman Mike Yarbrough, by and through their attorney of record, and would respectfully adopt the Defendant's Motion for Summary Judgment and Response to Plaintiff's Opposition as any trial brief necessary.

Respectfully Submitted,

/s/ T. Randall Lyons
T. RANDALL LYONS (LYO006)
Attorney for Above-Named Defendants

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that I have this date of August 24, 2007, electronically filed the foregoing with the Clerk of the Court using the State of Alabama's electronic filing system which will send notification and a copy of such filing to the following counsel of record:

James C. Ingram, Jr.
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/s/ T. Randall Lyons
OF COUNSEL